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DATE: February 23, 2006

TO	Box / Fax No.	RE:
US Patent and Trademark Office	571-273-8300	Serial No. 10/764,177 Filing Date: 1/23/2004 Inventor: Tengler, et al.
FROM	Edwin S. Flores	eflores@chalkerflores.com
DIRECT LINE	214-866-0001	
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CLIENT/MATTER NO.	PHFB:1007	
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1. PTO Transmittal Form - 1 pg.
2. Election and Power of Attorney - 1 pg.

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Edwin Flores, Reg. No. 38,453

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PTO/SB/21 (09-04)

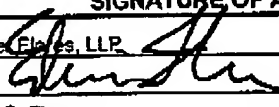
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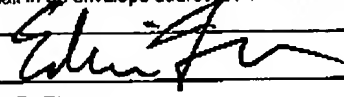
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TRANSMITTAL FORM (to be used for all correspondence after initial filing)	Application Number	10/764,177	
	Filing Date	1/23/2004	
	First Named Inventor	Tengler, et al.	
	Art Unit	1614	
	Examiner Name		
Total Number of Pages in This Submission	3	Attorney Docket Number	PHFB:1007

ENCLOSURES (Check all that apply)		
<input type="checkbox"/> Fee Transmittal Form <input type="checkbox"/> Fee Attached <input type="checkbox"/> Amendment / Reply <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input type="checkbox"/> Information Disclosure Statement <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Reply to Missing Parts/Incomplete Application <input type="checkbox"/> Reply to Missing Parts under 37 CFR 1.52 or 1.53	<input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input checked="" type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CD(s) _____ <input type="checkbox"/> Landscape Table on CD	<input type="checkbox"/> After Allowance communication to (TC) <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input checked="" type="checkbox"/> Other Enclosure(s) (please identify below): Fax Cover Sheet
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SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT			
Firm Name	Chalker Flores, LLP		
Signature			
Printed name	Edwin S. Flores		
Date	February 23, 2006	Reg. No.	38,453

CERTIFICATE OF TRANSMISSION/MAILING			
I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below.			
Signature			
Typed or printed name	Edwin S. Flores	Date	February 23, 2006

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:	Tengler, et al.	§	Examiner:	
Serial No.:	10/784,177	§	Group Art Unit:	1614
Filed:	1/23/2004	§	Attorney File No.:	PHFB:1007
Title:	Dynamic Variable Release Technology	§		

**ELECTION UNDER 37 C.F.R. SS 3.71
AND 3.73 AND POWER OF ATTORNEY**

Commissioner of Patents and Trademarks
P. O. Box 1450
Alexandria, Virginia 22313-1450

Sir:

The undersigned, being Assignee of record of the entire interest in the above-identified application by virtue of an assignment recorded in the United States Patent and Trademark Office as set forth below, hereby elects, under 37 C.F.R. S 3.71, to prosecute the application to the exclusion of the inventors.

The Assignee hereby revokes any previous Powers of Attorney and appoints Daniel J. Chalker, Reg. No. 40,552, Edwin S. Flores, Reg. No. 38,453 and Chalney P. Singleton, Reg. No. 53,598; each an attorney or agent of the firm of CHALKER FLORES, LLP, Customer No. 34,725, as its attorney or agent for so long as they remain with such firm, with full power of substitution and revocation, to prosecute the application, to make alterations and amendments therein, to transact all business in the Patent and Trademark Office in connection therewith, and to receive any Letters Patent to file any request for a certificate or correction that may be deemed appropriate.

Pursuant to 37 C.F.R. S 3.73, the undersigned has reviewed the evidentiary documents, specifically the Assignment to Pfab LP, referenced below, and certifies that to the best of my knowledge and belief, title remains in the name of the Assignee.

Please direct all communication as follows:

CHALKER FLORES, LLP
2711 LBJ Freeway, Suite 1036
Dallas, Texas 75234

ASSIGNEE:

Pfab LP, a Texas Limited Partnership

By: Darlene Ryan

Printed Name: Darlene Ryan
Title: President and CEO
Date: 2/21/06

ASSIGNMENT:

☒ Concurrently filed
☐ Previously recorded
Date: 7/9/2004
Reel/Frame: 014834/0238